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| CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8  |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date: <u>2/10/05</u> Name: <u>Andrew D. Stover</u> , Reg. No. 38,629 Signature: <u>ADS</u> |  |

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: ZANDER et al.

Appln. No.: 10/749,871

Filed: December 30, 2003

For: VISUALLY COORDINATED ABSORBENT  
GARMENT

Attorney Docket No: 659-2080 (K-C Ref. 19996)

Examiner: Unassigned

Art Unit: 3765

MS Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

**Attached is/are:**

- Information Disclosure Statement (in duplicate).
- Form PTO 1449
- Copies of 33 cited references.
- Return Receipt Postcard

**Fee calculation:**

- No additional fee is required.
- Small Entity.
- An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_ -month extension of time under 37 C.F.R. § 1.136(a).
- A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.)
- An additional filing fee has been calculated as shown below:

|   | Claims Remaining<br>After Amendment |       | Highest No.<br>Previously Paid For | Present<br>Extra | Small Entity |           | Not a Small Entity |         |           |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|---------|-----------|
|   |                                     |       |                                    |                  | Rate         | Add'l Fee | or                 | Rate    | Add'l Fee |
| Total                                     |                                     | Minus |                                    |                  | x \$9=       |           |                    | x \$18= |           |
| Indep.                                    |                                     | Minus |                                    |                  | x 44=        |           |                    | x \$88= |           |
| First Presentation of Multiple Dep. Claim |                                     |       |                                    |                  | +\$150=      |           |                    | +\$300= |           |
|   |                                     |       |                                    |                  | Total        | \$        |                    | Total   | \$        |

**Fee payment:**

- A check in the amount of \$ \_\_\_\_\_ is enclosed.
- Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- Payment by credit card in the amount of \$ \_\_\_\_\_ (Form PTO-2038 is attached).
- The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

*ADS*  
Andrew D. Stover (Reg. No. 38,629)

Date

*2/10/05*

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### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

2/10/05

Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of Applicant, Assignee or  
Registered Representative



Signature

2/10/05

Date of Signature

Our Case No.: 659/2080 (KC 19,996)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ZANDER et al.

Serial No.: 10/749,871

Filing Date: December 30, 2003

For: VISUALLY COORDINATED  
ABSORBENT PRODUCT

Examiner: Not yet assigned

Group Art Unit No.: 3765

### INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and

made of record. Copies of the relevant listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner. Pursuant to 37 CFR 1.98 (a) (2) (i), effective for applications filed after June 30, 2003, Information Disclosure Statements may be filed without copies of U.S. patents and U.S. published applications. Such documents are therefore not being submitted herewith.

The references now cited are the following:

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### Other Art Documents

|   |
|---|
| Copy of United States Patent Application Serial No. 10/732,913 (K-C Ref. No. 19,441), filed December 10, 2003, entitled "Fold Line Resistant Absorbent Articles", 32 pages. |
| Digital color photo of Stayfree® Maxipad and packaging available from Johnson & Johnson prior to 12/30/03.  |
| Digital color photo of Kotex® pad with peel strip available from Kimberly-Clark Corp. prior to 12/30/03.  |
| Digital color photo of Kotex® pad available from Kimberly-Clark Corp. prior to 12/30/03.  |
| Digital color photo of Whisper packaging and absorbent pad distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.         |
| Digital color photo of Whisper pad and wrap distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.                        |
| Digital color photo of packaging and absorbent pad distributed in Korea by Kimberly-Clark Corp. prior to 12/30/03, and as early as 01/01.                                   |
| Digital color photo of packaging and absorbent pad distributed in Korea by Kimberly-Clark Corp. prior to 12/30/03, and as early as 01/01.                                   |

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Pursuant to the undersigned attorney's obligation and duties under 37 C.F.R. §§ 1.56 and 1.98(a)(3) and (c), English language abstracts for EP 1 269 948 A2, JP 2-1122 A, JP 3-15513 A, JP 3-54633 A, JP 4-83232 A, JP 4-99920 A, JP 4-131224 A, JP 5-5117 A, JP 6-11724 A, JP 6-17725 A, JP 6-142136 A and

WO 00/44325 A1, which are not in English, are included for the express purpose of providing a concise explanation of the references to the Patent and Trademark Office with the opportunity to evaluate the same.

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Andrew D. Stover  
Registration No. 38,629  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200



|  |                                  |                                  |
|--|----------------------------------|----------------------------------|
| FORM PTO-1449  | SERIAL NO.<br>10/749,871         | CASE NO.<br>659/2080 (KC 19,996) |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT<br>(use several sheets if necessary) | FILING DATE<br>December 30, 2003 | GROUP ART UNIT<br>3765           |
|  | APPLICANT(S): ZANDER et al.      |                                  |

**REFERENCE DESIGNATION**      **U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL | DOCUMENT NUMBER<br>Number-Kind Code (If known) | DATE    | NAME              | CLASS/ SUBCLASS | FILING DATE |
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|                  | A8 3,727,615                                   | 04/1973 | Duchane           |                 |             |
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|                  | A14 3,888,255                                  | 06/1975 | Shah et al.       |                 |             |
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|                  | A16 3,913,580                                  | 10/1975 | Ginocchio         |                 |             |
|                  | A17 3,927,674                                  | 12/1975 | Schaar            |                 |             |
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|                  | A23 4,085,754                                  | 04/1978 | Ness et al.       |                 |             |
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|                  | A25 4,182,336                                  | 01/1980 | Black             |                 |             |
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|                  | A27 4,213,813                                  | 07/1980 | Hendricks         |                 |             |
|                  | A28 4,336,804                                  | 06/1982 | Roeder            |                 |             |
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|                  | A36 4,564,108                                  | 01/1986 | Widlund et al.    |                 |             |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
Draw line through citation if not in conformance and not considered. Include copy of this form with next  
communication to applicant.

|  |                                  |                                     |
|--|----------------------------------|-------------------------------------|
| FORM PTO-1449  | SERIAL NO.<br>10/749,871         | CASE NO.<br>659/2080 (KC<br>19,996) |
| <b>LIST OF PATENTS AND PUBLICATIONS FOR<br/>APPLICANT'S INFORMATION DISCLOSURE<br/>STATEMENT</b> | FILING DATE<br>December 30, 2003 | GROUP ART UNIT<br>3765              |
| (use several sheets if necessary)  | APPLICANT(S): ZANDER et al.      |                                     |

**REFERENCE DESIGNATION**      **U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (If known)</small> | DATE    | NAME              | CLASS/<br>SUBCLASS | FILING<br>DATE |
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|                     | A40 4,675,013  | 06/1987 | Ruffo             |                    |                |
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|                     | A42 4,692,162  | 09/1987 | Binker et al.     |                    |                |
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|                     | A44 4,765,477  | 08/1988 | Froidh et al.     |                    |                |
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|                     | A50 5,052,381  | 10/1991 | Gilbert et al.    |                    |                |
|                     | A51 5,074,293  | 12/1991 | Lott et al.       |                    |                |
|                     | A52 5,088,993  | 02/1992 | Gaur              |                    |                |
|                     | A53 5,141,505  | 08/1992 | Barrett           |                    |                |
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|                     | A66 5,527,578  | 06/1996 | Mazurek et al.    |                    |                |
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|                     | A69 5,578,026  | 11/1996 | Lavash et al.     |                    |                |
|                     | A70 5,591,146  | 01/1997 | Hasse             |                    |                |
|                     | A71 5,591,153  | 01/1997 | Mattingly, III    |                    |                |
|                     | A72 5,593,395  | 01/1997 | Martz             |                    |                |
|                     | A73 5,669,899  | 09/1997 | Osborn, III       |                    |                |
|                     | A74 5,670,004  | 09/1997 | Mattingly, III    |                    |                |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
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| (use several sheets if necessary)  | APPLICANT(S): ZANDER et al.      |                                     |

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| A153                | Digital color photo of Kotex® pad with peel strip available from Kimberly-Clark Corp. prior to 12/30/03.  |  |
| A154                | Digital color photo of Kotex® pad available from Kimberly-Clark Corp. prior to 12/30/03.  |  |
| A155                | Digital color photo of Whisper packaging and absorbent pad distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.   |  |
| A156                | Digital color photo of Whisper pad and wrap distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.  |  |
| A157                | Digital color photo of packaging and absorbent pad distributed in Korea by Kimberly-Clark Corp. prior to 12/30/03, and as early as 01/01.   |  |
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